

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:)	
THOMAS J. ZOVAR and)	Case No. 13-33767-mdm
JUDIT M. ZOVAR,)	Chapter 13
)	
Debtors.)	

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Thomas J. Zovar and Judit M. Zovar have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey
DeLadurantey Law Office, LLC
735 W. Wisconsin Avenue, Suite 720
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
 - A. X the Debtor;
 - B. the Chapter 13 Trustee (post-confirmation modifications only);
 - C. the holder of an unsecured claim (Name:) (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. X post-confirmation;
 - B. pre-confirmation (Select i. or ii.);
 - i. Debtors/Debtors' attorney certifies that the proposed modification does not materially adversely affect creditors (L.R. 3015(b)); or
 - ii. Debtors/Debtors' attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
4. The reason(s) for the modification is/are: MMM was unsuccessful. Debtor's cannot afford to cure arrearage through the plan.
5. Select A. or B.
 - A. X The Chapter 13 Plan confirmed or last modified on March 6, 2014, is modified as follows is modified as follows:

6(C). Surrender of Collateral. This Plan shall serve as notice to creditor(s) of Debtor's intent to surrender the following collateral. Any secured claim filed by a secured lien holder whose collateral is surrendered at or before confirmation will have their secured claim treated as satisfied in full by the surrender of the collateral.

(a) Creditor	(b) Collateral to be surrendered
Wells Fargo Home Mortgage	Homestead property located at 3230 S 45 St Greenfield, WI 53219

10. Special Provisions. Notwithstanding anything to the contrary set forth above, the Plan shall include the provisions set forth below.

(A) Attorneys' fees are to be paid at the rate of all available funds at confirmation. After confirmation, Attorney's fees shall be paid at one-half of available funds (less trustee fees) each month. If all secured claims have been paid in full, Attorneys are to receive all available funds (less trustee fees) each month until paid in full. Allowed Secured Creditors will receive post confirmation payments at the rate of one-half of all available funds (less trustee fees).

(B) These provisions are hereby omitted.

B. _____ The unconfirmed Chapter 13 Plan dated is modified as follows:

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

I, Nathan E. DeLadurantey, attorney for debtors, Thomas J. Zovar and Judit M. Zovar, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

Counsel for the debtors

September 5, 2014

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: September 5, 2014, at Milwaukee, Wisconsin.

DeLadurantey Law Office, LLC
Attorneys for Debtor

/s/

By: Nathan E. DeLadurantey
State Bar No. 1063937

Drafted by:
Daniel T. Beasley
SBN 1092029
735 W Wisconsin Ave., Suite 720
Milwaukee, WI 53233
(414) 377-0515; Fax (414) 755-0860
dan@delaw-law.com

A copy of the foregoing filed electronically on September 05, 2014 with:

Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically
if the party named accepts electronic service on September 05, 2014:

Office of the U.S. Trustee
517 East Wisconsin Avenue, #430
Milwaukee, WI 53202

Mary B. Grossman
PO Box 510920
Milwaukee, WI 53203

The attached creditor matrix

/s/Caitlin York, Paralegal
(Electronically file by)

Label Matrix for local noticing
0757-2
Case 13-33767-mdm
Eastern District of Wisconsin
Milwaukee
Fri Sep 5 09:55:45 CDT 2014

Cap One Na
Po Box 26625
Richmond, VA 23261-6625

Global Netwk
10950 Grandview Rd Suite
Overland Park, MO 66210-1565

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Wells Fargo Bank, N.A.
Wells Fargo Bank, N.A.
Attn: Bankruptcy Dept/MAC#D3347-014
3476 Stateview Blvd
Fort Mill, SC 29715-7200

Wfs Financial/Wachovia Dealer Srvs
Po Box 3569
Rancho Cucamonga, CA 91729-3569

Mary B. Grossman
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203-0161

End of Label Matrix
Mailable recipients 20
Bypassed recipients 0
Total 20

GE Capital Retail Bank
c/o Recovery Management Systems Corporat
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Collection Experts
Attn:Collections/Bankruptcy
20720 Watertown Rd Ste 108
Waukesha, WI 53186-1823

Oac
Po Box 371100
Milwaukee, WI 53237-2200

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Wells Fargo Bank, N.A.
Wells Fargo Bank, N.A.
Attn: Bankruptcy Dept/MAC#D3347014
3476 Stateview Blvd
Fort Mill, SC 29715-7200

Wi Electric / Wi Energies
Attention: Jill Costello
Po Box 2046 Room A130
Milwaukee, WI 53201-2046

Nathan E. DeLadurantey
DeLadurantey Law Office
735 W. Wisconsin Avenue
Suite 720
Milwaukee, WI 53233-2413

US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR
Washington Building 2nd Floor
4650 North Port Washington Rd.
Milwaukee, WI 53212-1077

Comenity Bank/Woman Within
Attention: Bankruptcy
Po Box 182686
Columbus, OH 43218-2686

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Wells Fargo Bank, N.A.
P.O. Box 19657
Irvine, CA 92623-9657

Wells Fargo Home Mortgage
PO Box 5296
Carol Stream, IL 60197-5296

Judit M Zovar
3230 S 45th St
Milwaukee, WI 53219-4815

Thomas J Zovar
3230 S 45th St
Milwaukee, WI 53219-4815